

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. SACV 19-367 PSG (DFMx) Date August 8, 2019

Title James Rutherford v. Lon-Yeun Pung, et al.

Present: The Honorable Philip S. Gutierrez, United States District Judge

Wendy Hernandez

Not Reported

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

Not Present

Not Present

Proceedings (In Chambers): **Order to Show Cause re: Supplemental Jurisdiction**

The complaint filed in this action asserts a claim for injunctive relief arising out of an alleged violation of the Americans with Disabilities Act ("ADA") and a claim for damages pursuant to California's Unruh Civil Rights Act. The Court **ORDERS** Plaintiff to show cause in writing no later than **August 23, 2019** why it should not decline to exercise supplemental jurisdiction over the Unruh Act claim. See 28 U.S.C. § 1367(c)(2), (c)(4); *Schutza v. Cuddeback*, 262 F. Supp. 3d 1025 (S.D. Cal. 2017).

The response to this Order to Show Cause must identify the amount of statutory damages Plaintiff seeks to recover. Plaintiff and Plaintiff's counsel must also support their responses to the Order to Show Cause with declarations, signed under penalty of perjury, providing all facts necessary for the Court to determine if they satisfy the definition of a "high-frequency litigant" as provided by California Civil Procedure Code § 425.55(b)(1) & (2).

Failure to respond as ordered will result in the Court declining to exercise supplemental jurisdiction over the Unruh Act claim and dismissing that claim without prejudice pursuant to 28 U.S.C. § 1367(c).

IT IS SO ORDERED.